

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

MARK ANTHONY PAPE (01)

No. 4:14-CR-111-Y
(Supersedes indictment
returned on May 21, 2014)

SUPERSEDING INDICTMENT

The Grand Jury Charges:

Count One
Sexual Exploitation of Children
(Violation of 18 U.S.C. §§ 2251(a) and (e))

On or about February 9, 2014, in the Fort Worth Division of the Northern District of Texas, and elsewhere, defendant **Mark Anthony Pape** did knowingly employ, use, persuade, and entice a minor, "Jane Doe," to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, and the visual depiction was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

Specifically, **Pape** used a Huawei cellular phone and an Asus Laptop computer to produce the following visual depictions of Jane Doe, a minor engaged in sexually explicit conduct:

Forensic file designation	Description
Vid_20140209_214743[1].mp4	A video file in which Pape is engaged in genital/genital, digital/genital, and oral/genital intercourse with Jane Doe.
VID_20140209_214600.mpg	A video file depicting Jane Doe performing oral sexual intercourse on Pape . The video also depicts the female masturbating Pape .
00001115_Unallocated Clusters_FO-8834187264_PS- 17360704+0.jpg	A still image depicting Jane Doe performing oral sexual intercourse on an adult male.

In violation of 18 U.S.C. §§ 2251(a) and (e).

Count Two
Sexual Exploitation of Children
(Violation of 18 U.S.C. §§ 2251(a) and (e))

Between March 2013 and February 6, 2014, in the Fort Worth Division of the Northern District of Texas, and elsewhere, defendant **Mark Anthony Pape** did knowingly employ, use, persuade, and entice a minor, "Jane Doe," to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, and the visual depiction was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

Specifically, **Pape** used a Sanyo camera and an Asus Laptop computer to produce the following visual depiction of a minor engaged in sexually explicit conduct:

Forensic File Designation	Description of Image
PS-0113121056 SO-000-recovered.jpg	Still image of Jane Doe, standing, which appears to have been taken below Jane Doe, who is nude. The image focuses on the genitals of the nude female.

In violation of 18 U.S.C. §§ 2251(a) and (e).

Count Three
 Possession of a Visual Depiction of a Minor
 Engaged in Sexually Explicit Conduct
 (Violation of 18 U.S.C. §§ 2252(a)(4)(B) and 2252(b)(2))

On or about April 9, 2014, in the Fort Worth Division of the Northern District of Texas, defendant **Mark Anthony Pape** did knowingly possess matter that contains any visual depiction which was produced using materials which had been mailed and shipped and transported using any means and facility of interstate and foreign commerce, including by computer, the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct, and such visual depiction was of such conduct.

Specifically, **Pape** possessed a Kingston thumb drive containing the following described five files visually depicting minors engaged in sexually explicit conduct and the lascivious exhibition of the genitals and pubic area of said minors, to include prepubescent minors, as defined in 18 U.S.C. § 2256:

Forensic file designation	Description of File
_4.jpg	Still image of a prepubescent female performing oral sexual intercourse on an adult male.
_9.jpg	Still image of a prepubescent female performing oral sexual intercourse on an adult male.
_0.jpg	Still image of a prepubescent female holding the erect penis of a male
Pussy_fuck_no12.mp4	A video depicting sexual intercourse between a prepubescent female and an adult male.
00001116_Unallocated Clusters_FO-8835104768_PS- 17362496+0.jpg	Still image of fingers touching and spreading apart the genitals of a nude prepubescent minor

In violation of 18 U.S.C. §§ 2252(a)(4)(B) and 2252(b)(2).

Count Four

Penalties For Registered Sex Offenders
(Violation of 18 U.S.C. § 2260A)

On or about February 9, 2014, in the Northern District of Texas and elsewhere, **Mark Anthony Pape**, defendant, being required by state law to register as a sex offender, did commit a felony offense involving a minor in violation of 18 U.S.C. § 2251, in that he knowingly used a minor to produce a visual depiction of the minor engaged in sexually explicit conduct.

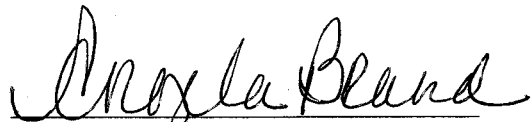
In violation of 18 U.S.C. § 2260A.

Count Five
Penalties For Registered Sex Offenders
(Violation of 18 U.S.C. § 2260A)

Between March 1, 2013 and February 6, 2014, in the Northern District of Texas and elsewhere, **Mark Anthony Pape**, defendant, being required by state law to register as a sex offender, did commit a felony offense involving a minor in violation of 18 U.S.C. § 2251, in that he knowingly used a minor to produce a visual depiction of the minor engaged in sexually explicit conduct.

In violation of 18 U.S.C. § 2260A.

A TRUE BILL


FOREPERSON

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THE UNITED STATES OF AMERICA

VS.

MARK ANTHONY PAPE (01)

SUPERSEDING INDICTMENT

18 U.S.C. §§ 2251(a) and (e)
Sexual Exploitation of Children
(2 COUNTS)

18 U.S.C. §§ 2252(a)(4)(B) and 2252(b)(2)
Possession of a Visual Depiction of a Minor Engaged in Sexually Explicit Conduct
(1 COUNT)

18 U.S.C. § 2260A
Penalties for Registered Sex Offenders
(2 COUNTS)

A true bill rendered:

DALLAS Angela Bradd FOREPERSON

Filed in open court this 21st day of January, A.D. 2015.

Defendant in Custody


UNITED STATES MAGISTRATE JUDGE